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Incorporated, The News Group, Inc. and
Gopher News Company.*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SLY MAGAZINE, LLC,

Plaintiff,

v.

CURTIS CIRCULATION COMPANY, et al.,

Defendants.

Civ. No. 07-O6265 (DAB)

**DEFENDANTS' NOTICE OF MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE that Defendants Curtis Circulation Company, Hudson News Company, Wal-Mart Stores, Inc., Chas Levy Circulating Co., LLC, Anderson News LLC, Magazine Distributors, Incorporated, The News Group, Inc. and Gopher News Company respectfully move the Court to dismiss Plaintiff's Complaint in its entirety pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. This motion is accompanied by Defendants' Memorandum of Law in Support of Their Motion to Dismiss, and the Declaration of Susan J. Kohlmann and attached Exhibits.

Dated: September 17, 2007

By: /s Susan J. Kohlmann

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CERTIFICATE OF SERVICE

I, Susan J. Kohlmann, an attorney, hereby certify that on this 17th day of September, 2007, I caused true and correct copies of the Notice of Motion to Dismiss Plaintiff's Complaint, Memorandum of Law in Support of Defendants' Motion to Dismiss and Declaration of Susan J. Kohlmann in Support of Defendants' Motion to Dismiss and attached exhibits to be served on the following individuals in the following manner:

By USPS First Class Mail and ECF:

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s/ Susan J. Kohlmann _____